



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health

- ☒ Preproposal Statement of Inquiry was filed as WSR 05-13-184 ; or
☐ Expedited Rule Making--Proposed notice was filed as WSR ; or
☐ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice
☐ Supplemental Notice to WSR
☐ Continuance of WSR

Title of rule and other identifying information: (Describe Subject)

WAC 246-828-025 Definitions.
WAC 246-828-045 Interim permit requirements.
WAC 246-828-04503 Postgraduate professional work experience
WAC 246-282-04505 Supervisor delegation
WAC 246-828-075 Student supervisors-Scope and definitions.

Hearing location(s):

Ramada Inn Spokane Airport
PO Box 19230
Spokane, WA 99219-9230

Submit written comments to:

Name: Karen Kelley
Address:
PO Box 47869
Olympia, WA 98504-7869

Web site: <http://www3.doh.wa.gov/policyreview/>

fax: 360-236-4918 by (date) 08/04/2006

Date: August 11, 2006 Time: 9:15 a.m.

Date of intended adoption: 08/11/2006

(Note: This is NOT the effective date)

Assistance for persons with disabilities: Contact

Karen Kelley by 08/04/2006
TTY (800) 833-6388 or () 711

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

This proposal clarifies and amends the definition of "Board-approved institution of higher learning" to reflect the current accrediting body and also addresses the newly established Au.D. degree that encompasses the required postgraduate work experience. The proposal also clarifies the interim permit and postgraduate professional work experience requirements. WACs 246-828-04503 and 04505 are titled as "new sections," but in fact are just existing rule language that has been split out and renumbered. WACs 246-828-04503 and 04505 do not impose any new restrictions on licensees.

Reasons supporting proposal:

There has been concern from applicants, licensees, and department of health staff regarding the lack of clarity in regard to supervision during the postgraduate professional work experience. By further defining the postgraduate professional work experience supervision standards, it will add clarity and assist in complying with these standards.

Statutory authority for adoption:

RCW 18.35.161

Statute being implemented:

RCW 18.35.161

Is rule necessary because of a:

- Federal Law? ☐ Yes ☒ No
Federal Court Decision? ☐ Yes ☒ No
State Court Decision? ☐ Yes ☒ No

If yes, CITATION:

DATE

7/05/06

NAME (type or print)

Karen Kelley (BOB NICOLOFF FOR KAREN KELLEY)

SIGNATURE

[Signature] for Karen Kelley

TITLE

Deputy Executive Director

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

JUL 5 2006

TIME 1117 AM
WSR 06-14-083 PM
0945m

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:
None.

Name of proponent: (person or organization)

Board of Hearing and Speech

- ☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting	Karen Kelley	310 Israel Road SE, Tumwater, WA 98501	360-236-4950
Implementation	Karen Kelley	310 Israel Road SE, Tumwater, WA 98501	360-236-4950
Enforcement	Karen Kelley	310 Israel Road SE, Tumwater, WA 98501	360-236-4950

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone:

fax:

e-mail:

☒ No. Explain why no statement was prepared.

An SBEIS is not necessary under Chapter 18.35 RCW. These rules do not impose additional costs on licensed hearing instrument fitter/dispensers, audiologists, and speech-language pathologists.

Is a cost-benefit analysis required under RCW 34.05.328?

☒ Yes. A preliminary cost-benefit analysis may be obtained by contacting:

Name: Karen Kelley

Address:

Board of Hearing and Speech

PO Box 47869

Olympia, WA 98504-7869

phone: 360-236-4950

fax: 360-236-4918

e-mail: karen.kelley@doh.wa.gov

☐ No. Please explain:

AMENDATORY SECTION (Amending WSR 98-13-109, filed 6/17/98, effective 7/18/98)

WAC 246-828-025 Definitions. (1) "Board-approved institution of higher education" means an institution offering a ~~((Washington higher education coordinating board-accredited))~~ program in audiology or speech-language pathology leading to a master's degree, or its equivalent, or a doctorate degree or its equivalent, that has been accredited by the council on academic accreditation in audiology and speech-language pathology, or an equivalent program ~~((as determined by the board))~~.

(2) "Postgraduate professional work experience" means a supervised full-time professional experience, or the part-time equivalent, as defined in these rules, involving direct patient/client contact, consultations, record keeping, and administrative duties relevant to a bona fide program of clinical work.

(a) "Full-time professional experience" means ~~((a minimum of))~~ at least 30 hours per week over 36 weeks. Postgraduate professional work experience ~~((cannot))~~ must be obtained ~~((in fewer than))~~ over a period of at least 36 weeks.

(b) "Part-time equivalent" means any of the following:

(i) 15-19 hours per week over 72 weeks;

(ii) 20-24 hours per week over 60 weeks;

(iii) 25-29 hours per week over 48 weeks.

~~((c) Professional experience of fewer than 15 hours per week cannot be counted toward postgraduate professional work experience.))~~ (3) Applicants who obtain an Au.D. at a board approved institution of higher education are considered to have met the postgraduate professional work experience requirement.

AMENDATORY SECTION (Amending WSR 04-02-068, filed 1/7/04, effective 2/7/04)

WAC 246-828-045 Interim permit. ~~((Interim permit requirements.))~~

(1) The department ~~((will))~~ shall issue an interim permit to any applicant who has shown to the satisfaction of the department that the applicant:

(a) Has completed the academic course work and clinical practicum as required in RCW 18.35.040.

(b) Is supervised by a speech-language pathologist or audiologist licensed under chapter 18.35 RCW, in good standing for

at least two years unless otherwise approved by the board.

~~((b))~~ (c) Has paid the application and permit fee.

~~((c) Has not committed unprofessional conduct as specified by the Uniform Disciplinary Act or chapter 18.35 RCW.))~~

(2) ~~((The provisions of))~~ RCW 18.35.030, 18.35.110, 18.35.120 apply to interim permit holders. ~~((A person issued))~~ An audiology interim permit holder may engage in the fitting and dispensing of hearing instruments.

(3) The interim permit ~~((shall))~~ must contain the name and title of the supervisor licensed under chapter 18.35 RCW.

(4) A licensed audiologist or speech-language pathologist under chapter 18.35 RCW may supervise up to four interim permit holders concurrently.

~~((Interim permit period.~~

~~(4) The interim permit period is divided into three equal segments. The supervisor must complete a minimum of:~~

~~(a) At least thirty-six supervisory activities spaced uniformly throughout the year.~~

~~(b) At least eighteen on-site observations (one hour equals one on-site observation). At least six on-site observations must be accrued during each segment (up to six hours may be accrued in one day).~~

~~(c) Eighteen other monitoring activities, at least six per segment.~~

~~(d) Upon the completion of each segment the supervisor must submit documentation of completion to the department on a form provided by the department.~~

~~(e) A review of all purchase agreements in the fitting and dispensing of hearing instruments prior to signing. All purchase agreements must be signed by the supervisor.~~

~~(5) The interim permit is valid for one year or for the duration of the postgraduate experience. The interim permit expires one year from the date it is issued. The board may extend the permit an additional six months.~~

Supervisor delegation.

~~(6) Portions of the supervisory activities including the supervision in hearing instrument fitting and dispensing may be obtained in another facility and may be under the supervision of another licensed speech-language pathologist or audiologist as delegated by the supervisor of record.~~

~~(a) The audiologist supervisor of record may delegate the supervision of hearing instrument fitting and dispensing to a licensed hearing instrument fitter/dispenser who has been licensed in good standing for at least two years.~~

~~(b) Delegation of the responsibility of supervision must be approved by the department.~~

~~(7) The department may approve transfer of a permit holder to another eligible supervisor upon the written request of either the supervisor or the permit holder.~~

~~(8) The permit holder must immediately report the termination of the supervisor to the department in writing, by certified mail.~~

~~(9) The supervisor of a permit holder who desires to terminate~~

~~the responsibility as supervisor must immediately notify the department in writing, by certified mail, of the termination. The supervisor is responsible for the permit holder until the notification of termination to the department is deposited in the United States mail.))~~

NEW SECTION

WAC 246-828-04503 Postgraduate professional work experience.

(1) The interim permit period must consist of at least thirty-six weeks of full-time postgraduate professional work experience or its part-time equivalent.

(a) Postgraduate professional work experience of less than fifteen hours per week does not meet the requirement and may not be counted toward the postgraduate professional work experience. Experience of more than thirty hours per week may not be used to shorten the postgraduate professional work experience to less than thirty-six weeks.

(b) The supervisor must submit to the department, on a form provided by the department, documentation of supervision and progress during the postgraduate professional work experience, at the end of each three-month period.

(2) The supervisor must cosign all purchase agreements in the fitting and dispensing of hearing instruments.

(3) The interim permit expires one year from the date it is issued. The board may extend the interim permit an additional twenty-four months to accommodate part-time postgraduate professional work experience or upon request of the interim permit holder due to illness or extenuating circumstances.

NEW SECTION

WAC 246-828-04505 Supervisor delegation. (1) The supervisor may delegate portions of the supervisory activities to another qualified supervisor of the same discipline in another facility. Before delegating supervision responsibility the supervisor must seek department approval.

(2) The department may approve transfer of an interim permit holder to another eligible supervisor upon the written request of either the supervisor or the interim permit holder.

(3) The interim permit holder must immediately report the termination of the supervisor to the department in writing. The interim permit holder may only resume practice after the supervisor is approved by the department.

(4) The supervisor of an interim permit holder who desires to terminate the responsibility as supervisor must immediately notify the department in writing of the termination. The supervisor is responsible for the interim permit holder until the notification of termination is received by the department.

AMENDATORY SECTION (Amending WSR 04-02-068, filed 1/7/04, effective 2/7/04)

WAC 246-828-075 (~~((Student supervisors--Scope and definitions.))~~) Supervisors of students. (1) Students enrolled in (~~((an accredited education or training))~~) a board approved program may perform the duties of a hearing instrument fitter/dispenser, audiologist or speech-language pathologist in the course of their training (~~((if))~~) under (~~((the))~~) appropriate supervision (~~((of a Washington state licensed hearing instrument fitter/dispenser or audiologist))~~).

~~((1) Supervision means the licensee is physically present on the premises at all times.~~

~~((a) Supervision includes the personal and direct involvement of the supervisor. The supervisor must:~~

~~((i) Directly observe diagnostic and therapeutic procedures; and~~

~~((ii) Cosign all purchase agreements for the sale of hearing instruments.~~

~~((b) A licensed audiologist or speech-language pathologist under chapter 18.35 RCW may not assume the responsibility for more than one permit holder.~~

~~((c) The supervisor is responsible for all acts of the permit holder in connection with audiology or speech-language pathology services through the duration of the permit. The supervisor shall execute and submit to the department acknowledgment of responsibility for all acts of the permit holder in connection with audiology or speech-language pathology services.~~

~~((2) An accredited education or training program means any course of study in the field of fitting and dispensing hearing instruments that is offered by a school or program recognized by the state of Washington.~~

~~((3) The student shall at all times wear an identification badge readily visible to the public that identifies him or her as a student.))~~ (a) Speech-language pathology students must be supervised by a speech-language pathologist licensed under chapter 18.35 RCW, in good standing for at least two years.

(b) Audiology students must be supervised by an audiologist licensed under chapter 18.35 RCW, in good standing for at least two years.

(c) Hearing instrument fitter and dispenser students must be supervised by either a hearing instrument fitter/dispenser or a

licensed audiologist licensed under chapter 18.35 RCW, in good standing for at least two years.

(2) Students may perform only those activities that are within the scope of the profession as defined by the training program in which they are enrolled.

(3) The student shall at all times wear an identification badge readily visible to the public that identifies him or her as a student.

(4) The licensee who is supervising hearing instrument fitting and dispensing students must be physically present on the premises at all times. The supervisor must cosign all purchase agreements for the sale of hearing instruments.

(5) The licensee who is supervising speech-language pathology or audiology students may include simultaneous observations with the student or the submission of written reports or summaries by the student for supervisor monitoring, review and approval. At least fifty percent of each student's time in each diagnostic evaluation, including screening and identification, must be observed directly by a supervisor. The observations may take place on site or by closed-circuit television.